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Attorneys for Defendants
WALGREEN CO. and
WALGREEN OSHKOSH, INC.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

JUDI MARI CARSON, individually and as
the Administrator of Estate of KELLINA
SUE WEED, Deceased,

Plaintiff,

v.

WALGREEN OSHKOSH, INC,
WALGREEN CO., IVAN
INCHAURREGUI, and Does I-V, and Roe
Entities, I-V, inclusive,

Defendants.

Case No.:
Dept. No.:

**NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C. § 1441(b)
(DIVERSITY)**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendants WALGREEN CO. and WALGREEN OSHKOSH, INC. hereby remove to this Court the state court action described below.

1. On November 14, 2017, an action was commenced in the District Court, Clark County, Nevada, entitled JUDI MARI CARSON, individually and as the Administrator of Estate of KELLINA SUE WEED, Deceased v. WALGREEN OSHKOSH, INC, WALGREEN CO., IVAN INCHAURREGUI, and Does I-V, and Roe Entities, I-V, inclusive, as Case No: A-17-764704. A copy of the Complaint is attached hereto as "Exhibit A."

1 2. Defendants WALGREEN CO. and WALGREEN OSHKOSH, INC. received a
2 copy of said complaint on November 28, 2017, when Defendants' agent accepted service of
3 said complaint and a summons on its behalf. A copy of the summons is attached hereto as
4 "Exhibit B."

5 3. Prior to service of Plaintiff's complaint on November 28, 2017, Plaintiff
6 provided a written demand to counsel for Defendants WALGREEN CO. and WALGREEN
7 OSHKOSH, INC., which demands \$20,000,000 in complete settlement of this matter.
8 Furthermore, this matter involves wrongful death allegations. Therefore, it is reasonable to
9 conclude that the amount in controversy exceeds \$75,000.

10 4. This is a civil action of which this Court has original jurisdiction under
11 28 U.S.C. § 1332, and is one which may be removed to this Court by Defendant pursuant to
12 the provisions of 28 U.S.C. § 1441(b) in that it is a civil action between citizens of different
13 states and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and
14 costs.

15 5. Plaintiff's Complaint alleges that she is a citizen of the state of Oregon.
16 Defendant WALGREEN CO. was at the time of filing this action, and still is, a corporation
17 incorporated under the laws of the State of Illinois, having its principal place of business in
18 Deerfield, Illinois. Defendant WALGREEN OSHKOSH, INC. was at the time of filing this
19 action, and still is, a corporation incorporated under the laws of the State of Wisconsin, having
20 its principal place of business at Deerfield, Illinois. In addition, Defendant IVAN
21 INCHAURREGUI is alleged to be a resident of the state of Nevada. As such, there is complete
22 diversity in this matter.

23 6. Based on information and belief, Defendant IVAN INCHAURREGUI has not
24 yet been served in this matter. 28 USC § 1446(b)(2)(A).

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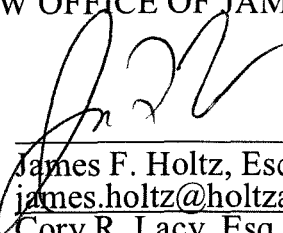
1 7. Defendant further states that less than one year has passed since commencement
2 of the action. 28 U.S.C. § 1446(b).

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5 Dated:

12/1/17

LAW OFFICE OF JAMES F. HOLTZ

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7 Bv:

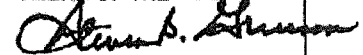

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8
9 Attorney for Defendants
10 WALGREEN CO. and
11 WALGREEN OSHKOSH, INC.
12
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EXHIBIT A

EXHIBIT A

Electronically Filed
11/14/2017 9:01 AM
Steven D. Grierson
CLERK OF THE COURT



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Craig M. Sico, *Pro Hac Vice Pending*
Louie J. Cook, *Pro Hac Vice Pending*
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Attorneys for Plaintiffs

DISTRICT COURT
CLARK COUNTY, NEVADA

JUDI MARI CARSON, Individually,
and as the Administrator of the Estate of
KELLINA SUE WEED, Deceased,

Plaintiffs,

vs.

WALGREEN OSHKOSH, INC., WALGREEN CO.,
IVAN INCHAUREGUI, DOES 1 – V and ROE
ENTITITES I – V,

Defendants.

CASE NO: A-17-764704-C

DEPT. NO: Department 28

COMPLAINT

Plaintiffs Judi Mari Carson, individually and as the Administrator of the Estate of
Kellina Sue Weed, deceased, by and through their attorneys of record, Craig K. Perry,
Craig M. Sico, and Louie J. Cook complain against Defendants as follows:

1.6 That the identities of the Defendants, DOES I – V and ROE ENTITIES I - V, are unknown at this time and may be individuals, partnerships or corporations or other entities. Plaintiffs allege that each of the Defendants designated herein as DOE is responsible in some manner for the damages herein alleged, including but not limited to the following: negligent training, hiring, supervision of Inchaurregui. Moreover, Plaintiffs allege that DOES I – V and ROE ENTITIES I – V may have negligently entrusted the subject 2017 Peterbuilt Semi bearing Vin # 1NPBDP9X8HD ("2017 Peterbuilt") to the Defendants. Plaintiffs request leave of the Court to amend this complaint to name the Defendants specifically when their identities become known.

1.7 That all the facts and circumstances that caused the subject collision and injuries and damages of Plaintiffs.

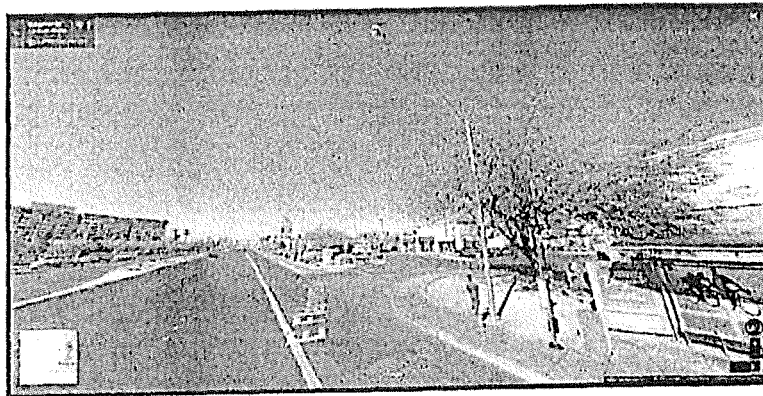
JURISDICTION AND VENUE

2.1 The amount of damages is in excess \$10,000 and within the jurisdictional limits of the Court.

2.2 Venue is proper under Nevada Revised Statute §13.040 because Inchaurregui is a resident of Clark County, Nevada. Since Inchaurregui is a resident of Clark County, venue is proper as to all other defendants in Clark County, Nevada.

BACKGROUND

3.1 On May 31, 2017, Ivan Inchaurregui in the course and scope of his employment with Walgreen was traveling Westbound on Flamingo attempting a right turn into a Walgreen's parking lot. This turn-in was wide, free of traffic, and easily maneuvered by a properly trained and alert 18-wheeler operator who is properly qualified under 49 CFR 391.11(b)(3). Below, please see a picture of the clear turn in.



3.2 While making the right-hand turn into the Walgreen's parking lot, as a result of fatigue, inexperience, and/or distraction, Inchaurregui ramped up on the curb, violently striking Kellina Weed, deceased, who was lawfully on the sidewalk. Upon impact with Ms. Weed, Inchaurregui continued to drive on the sidewalk until he collided with a fire-hydrant. Only upon colliding with the fire hydrant did Inchaurregui finally stop his 18-wheeler. This fact is noted in the official accident report below. As a result of this collision, Ms. Weed suffered severe injuries that lead to her untimely death.

THE AREA OF INITIAL CONTACT (AIC) WAS DETERMINED BY BODILY FLUID ON THE SIDEWALK UNDER THE TRAILER OF V1. V1 CONTINUED APPROXIMATELY 15 FEET TO THE NORTH FOLLOWING THE AIC WHERE THE FRONT RIGHT TIRE OF THE TRAILER COLLIDED WITH A YELLOW POST PROTECTING A FIRE HYDRANT. V1 ROLLED BACKWARDS, APPROXIMATELY 15 FEET TO THE SOUTH, FOLLOWING THE COLLISION WITH THE POST WHERE IT CAME TO REST.

NM1 SUSTAINED CRITICAL INJURIES AND WAS TRANSPORTED TO SUNRISE HOSPITAL BY MEDICWEST AMBULANCE. D1 CLAIMED NO INJURIES.

3.3 As a direct and proximate result of Walgreen's actions, the Plaintiffs suffered general and specific damages in an amount in excess of \$10,000. They have been required to retain the services of an attorney to seek fair and proper compensation.

FIRST CLAIM FOR RELIEF

NEGLIGENCE & NEGLIGENCE PER SE –IVAN INCHAURREGUI

4.1 Plaintiffs restate the allegations set forth in paragraphs 1.1 through 3.4 of above as though fully set forth herein.

4.2 As a driver of a Tractor-Trailer, Inchaurregui owed a duty to pedestrians lawfully on the sidewalk, to obey traffic laws as well as exercise reasonable care while driving.

4.3 Inchaurregui breached this duty through numerous acts and/or omissions of negligence that directly and proximately caused the occurrence in question, the untimely death of Kellina Weed, and the injuries and damages sustained by the Kellina Sue Weed. Inchaurregui's acts and/or omissions that constitute negligence include, but are not limited to;

- a. Failing to keep a proper lookout for pedestrians lawfully on the sidewalk;

- b. Failing to make a proper and lawful right turn;
- c. Failing to maintain control of his motor vehicle at all times;
- d. Failing to timely and properly apply brakes under the circumstances;
- e. Failing to stop when required to do so;
- f. Failing to operate the vehicle with due care for the safety of others, including Kellina Sue Weed; and
- g. Failing to follow the traffic laws of the State of Nevada.

4.4 Moreover, Inchaurregui's actions constituted negligence per se. Nevada Revised Statute 484B.280 mandates that drivers at all times must exercise due care to avoid a collision with a pedestrian at all times. Kellina Weed, deceased, was a pedestrian lawfully on the sidewalk at the time of the accident. As such, Kellina Weed, deceased was in the group of people (pedestrians) that NRS 484B.280 was meant to protect. Inchaurregui breached his duty under NRS 484B.280 when he ramped up onto the sidewalk, collided with Kellina Weed, deceased, and continued to drive until he hit a fire hydrant. This breach was a proximate and direct cause of Kellina Weed's untimely death and the Plaintiffs' injuries and damages.

4.5 At the time of the incident in question, Inchaurregui was a Walgreen's employee acting within the course and scope of his employment for Walgreen in the furtherance of his employer's business. Therefore, pursuant to the doctrine of *Respondeat Superior*, Walgreen is responsible and accountable for Inchaurregui's negligence and negligence per se.

4.6 In the alternative, upon information and belief, Plaintiffs specifically allege that at all relevant times, Walgreen and Inchaurregui were acting in the capacities of principal-agent or master-servant for one another, were acting within the course and scope of said agency or servitude, ratified the conduct of each other, and when acting as an agent was negligent.

SECOND CLAIM FOR RELIEF

NEGLIGENCE – WALGREEN CO. AND WALGREEN OSHKOSH, INC.

5.1 Plaintiffs restate the allegations set forth in paragraphs 1–4.6 as though fully set forth herein.

5.2 The independent negligence of Walgreen includes, but is not limited to, one or more of the following;

- a. Failure to properly train its drivers and employees;
- b. Failing to establish an adequate safety program;
- c. Failing to adequately supervise its drivers and employees;
- d. Failing to properly qualify its drivers and employees under 49 CRF 391.11(b)(3);
- e. Failing to establish adequate policies and/or adequately enforce policies for its drivers and employees;
- f. Negligently hiring, supervising, and retaining Defendant Inchaurregui who was unqualified, incompetent, and a careless driver and/or employee;
- g. Failing to promulgate and enforce company policies regarding the hours of operations in accordance with Federal Standards; and
- h. Negligently entrusting the vehicle to Defendant Inchaurregui when he was in violation of Federal Laws relating to the amount of rest required between trips.

5.3 Each of the foregoing acts and omissions constitute an Independent act of negligence on the part of Walgreen and one or more or all of the above stated acts were the direct and proximate cause of Kellina Weed's untimely death and the Plaintiffs injuries and damages.

THIRD CLAIM FOR RELIEF

OPPRESSION, FRAUD, AND/OR MALICE – INCHAURREGUI/WALGREEN

6.1 Plaintiffs restate the allegations set forth in paragraphs 1.1 through 5.4 above as though fully set forth herein.

6.2 Inchaurregui and Walgreen independently acted with oppression, fraud, and/or malice, express or implied, including without limitation despicable conduct engaged in with a conscious disregard of the rights or safety of others, which was a proximate cause of the injuries to the Plaintiffs, and for which the Plaintiffs are entitled to recover exemplary and/or punitive damages.

FOURTH CLAIM FOR RELIEF

GROSS NEGLIGENCE – INCHAURREGUI/WALGREEN

7.1 Plaintiffs restate the allegations set forth in paragraphs 1.1 through 6.2 above as though fully set forth herein.

7.2 The wrong done by Inchaurregui and Walgreen by recklessly disregarding Federal Safety Regulations on a systematic basis and placing an unequipped and/or untrained driver on the road was aggravated by the kind of gross negligence and callous disregard for which the law allows the imposition of exemplary damages.

7.3 Inchaurregui and Walgreen's knew of the dangers in systematically and routinely ignoring Federal Safety Standards and knew of unique dangers posed by breaking each of these regulations—by allowing exhausted, intoxicated, distracted and/or unqualified drivers on the road. Inchaurregui and Walgreen's intended to perform acts that they knew, or should have known, would very probably cause harm.

7.4 Inchaurregui and Walgreen's conduct, when viewed objectively from each Defendants individual standpoint at the time of each Defendants individual conduct, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others, and the Defendants were actually and subjectively aware of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, and welfare of others.

8 FIRST CAUSE OF ACTION

10 8.1 Plaintiffs re-allege and incorporate by reference paragraphs 1 through 7.6
11 inclusive, as fully set forth in this Cause of Action.

8.3 Inchaurregui breached this duty through numerous acts and/or omissions of negligence that proximately caused the occurrence in question, the untimely death of Kellina Weed, and the injuries and damages sustained by the Plaintiffs. Inchaurregui's acts and/or omissions that constitute negligence include, but are not limited to;

- 8-

1 g. Failing to follow the traffic laws of the State of Nevada.

2 8.4 At the time of the incident in question, Inchaurregui was a Walgreen's
3 employee acting within the course and scope of his employment for Walgreen and in the
4 furtherance of his employer's business. Therefore, pursuant to the doctrine of
5 *Respondeat Superior*, Walgreen is responsible and accountable for Inchaurregui's
6 negligence.

7 8.5 In the alternative, upon information and belief, Plaintiffs specifically allege
8 that at all relevant times, Walgreen and Inchaurregui were acting in the capacities of
9 principal-agent or master-servant for one another, were acting within the course and
10 scope of said agency or servitude, ratified the conduct of each other, and when acting as
11 an agent was negligent.

12 8.6 The acts and/or omissions described above, were each a direct, proximate
13 and legal cause of the injury and damages suffered by the Plaintiffs.

14 8.7 As a direct, legal and proximate result of the negligence of Inchaurregui, the
15 Plaintiffs has suffered general and specific damages. These damages include, but are
16 not limited to, extreme grief, sorrow, loss of companionship, society, and comfort as well
17 as pecuniary loss. These damages are in an amount in excess of \$10,000.

18 8.8 As a direct, legal and proximate result of Inchaurregui's negligence as
19 alleged above, Kellina Weed before her death was required to and did employ physicians
20 and other medical personnel, Kellina Weed incurred costs and expenses for medical
21 care, treatment, medications, emergency services, medical supplies, and related
22 expenses.

23 8.9 As a direct, legal, and proximate result of Inchaurregui's negligence as
24 alleged above, the Plaintiffs have been caused to incur pecuniary losses.

25 8.10 As a direct, legal and proximate result of said Inchaurregui's negligence as
26 alleged above, Plaintiffs have suffered economic damages.

27 8.11 By reason of the foregoing, Defendants are liable in tort to the Plaintiffs for
28 the general and specific damages sustained by the Plaintiffs as alleged herein.

SECOND CASE OF ACTION

(Negligence Per Se—Inchaurregui)

9.1 Plaintiffs, re-allege and incorporate by reference Paragraphs 1 through 8.11, inclusive as if fully set forth in this Cause of Action.

9.2 Inchaurregui's actions constituted negligence per se. Nevada Revised Statute 484B.280 mandates that drivers at all times must exercise due care to avoid a collision with a pedestrian at all times. Kellina Weed, deceased, was a pedestrian lawfully on the sidewalk at the time of the accident. As such, Kellina Weed, deceased was in the group of people (pedestrians) that NRS 484B.280 was meant to protect. Inchaurregui breached his duty under NRS 484B.280 when he ramped up onto the sidewalk, collided with Kellina Weed, deceased, and continued to drive until he hit a fire hydrant. This breach was a proximate and direct cause of Kellina Weed's untimely death and the Plaintiffs' injuries and damages.

9.3 At the time of the incident in question, Inchaurregui was a Walgreen's employee acting within the course and scope of his employment for Walgreen in the furtherance of his employer's business. Therefore, pursuant to the doctrine of *Respondeat Superior*, Walgreen is responsible and accountable for Inchaurregui's negligence and negligence per se.

9.4 In the alternative, upon information and belief, Plaintiffs specifically allege that at all relevant times, Walgreen and Inchaurregui were acting in the capacities of principal-agent or master-servant for one another, were acting within the course and scope of said agency or servitude, ratified the conduct of each other, and when acting as an agent was negligent.

9.5 The acts and/or omissions described above, were each a direct, proximate and legal cause of the injury and damages suffered by the Plaintiffs.

9.6 As a direct, legal, and proximate result of the negligence of Inchaurregui, the Plaintiffs have suffered general and specific damages. These damages include, but

1 are not limited to, extreme grief, sorrow, loss of companionship, society, and comfort as
2 well as pecuniary loss. These damages are in an amount in excess of \$10,000.

3 9.7 As a direct, legal and proximate result of Inchaurregui's negligence as
4 alleged above, Kellina Weed before her death was required to and did employ physicians
5 and other medical personnel, Kellina Weed incurred costs and expenses for medical
6 care, treatment, medications, emergency services, medical supplies, and related
7 expenses.

8 9.8 As a direct, legal, and proximate result of Inchaurregui's negligence as
9 alleged above, the Plaintiffs have been caused to incur pecuniary losses.

10 9.9 As a direct, legal and proximate result of said Inchaurregui's negligence as
11 alleged above, Plaintiffs have suffered economic damages.

12 9.10 By reason of the foregoing, Defendants are liable in tort to the Plaintiffs for
13 the general and specific damages sustained by the Plaintiffs as alleged herein.

14 **THIRD CAUSE OF ACTION**

15 **(General Negligence—Walgreen Oshkosh, Inc. and Walgreen Co.)**

16 10.1 Plaintiffs, re-alleges and incorporates by reference Paragraphs 1 through
17 9.10, inclusive as if fully set forth in this Cause of Action.

18 10.2 The independent negligence of Walgreen includes, but is not limited to, one
19 or more of the following;

- 20 a. Failure to properly train its drivers and employees;
- 21 b. Failing to establish an adequate safety program;
- 22 c. Failing to adequately supervise its drivers and employees;
- 23 d. Failing to properly qualify its drivers and employees under 49 CRF
- 24 391.11(b)(3);
- 25 e. Failing to establish adequate policies and/or adequately enforce
- 26 policies for its drivers and employees;
- 27
- 28

- 1 f. Negligently hiring, supervising, and retaining Defendant
2 Inchaurregui who was unqualified, incompetent, and a careless
3 driver and/or employee;
- 4 g. Failing to promulgate and enforce company policies regarding the
5 hours of operations in accordance with Federal Standards; and
- 6 h. Negligently entrusting the vehicle to Defendant Inchaurregui when
7 he was in violation of Federal Laws relating to the amount of rest
8 required between trips.

9 10.3 Each of the foregoing acts and omissions constitute an independent act of
10 negligence on the part of Walgreen, and one or more or all of the above stated acts were
11 the direct and proximate cause of Kellina Weed's untimely death and the Plaintiffs'
12 injuries and damages.

13 10.4 The acts and/or omissions described above, were each a direct, proximate
14 and legal cause of the injury and damages suffered by the Plaintiffs.

15 10.5 As a direct, legal and proximate result of the negligence of Walgreen, the
16 Plaintiffs has suffered general and specific damages. These damages include, but are
17 not limited to, extreme grief, sorrow, loss of companionship, society, and comfort as well
18 as pecuniary loss. These damages are in an amount in excess of \$10,000.

19 10.6 As a direct, legal and proximate result of Walgreen's negligence as alleged
20 above, Kellina Weed before her death was required to and did employ physicians and
21 other medical personnel, Kellina Weed incurred costs and expenses for medical care,
22 treatment, medications, emergency services, medical supplies, and related expenses.

23 10.7 As a direct, legal, and proximate result of Walgreen's negligence as alleged
24 above, the Plaintiffs have been caused to incur pecuniary losses.

25 10.8 As a direct, legal and proximate result of said Walgreen's negligence as
26 alleged above, Plaintiffs have suffered economic damages.

27 10.9 By reason of the foregoing, Defendants are liable in tort to Plaintiffs for the
28 general and specific damages sustained by the Plaintiffs as alleged herein.

PUNITIVE DAMAGES

11.1 Plaintiffs incorporate paragraphs 1 through 10.09 above, and allege that Defendants are liable for exemplary and/or punitive damages. The wrong done by Inchaurregui and Walgreens by recklessly disregarding Federal Safety Regulations on a systematic basis and placing an unequipped and untrained driver on the road was aggravated by the kind of gross negligence and callous disregard for which the law allows the imposition of exemplary damages.

11.2 Inchaurregui and Walgreen knew of the dangers in systematically and routinely ignoring Federal Safety Standards and knew of unique dangers posed by breaking each of these regulations—by allowing exhausted, intoxicated, distracted and unqualified drivers on the road. Inchaurregui and Walgreens intended to perform acts that they knew, or should have known, would very probably cause harm.

11.3 Inchaurregui and Walgreen's conduct, when viewed objectively from each Defendants individual standpoint at the time of each Defendants individual conduct, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others, and the Defendants were actually and subjectively aware of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, and welfare of others.

11.4 Inchaurregui and Walgreen's acts of omission and commission, which collectively and severally constitute gross negligence, were proximate causes of the accident and injuries sustained by the Plaintiffs.

11.5 Inchaurregui and Walgreen's acted with malice, express or implied, including without limitation despicable conduct engaged in with a conscious disregard of the rights or safety of others, which was a proximate cause of the injuries to Plaintiffs, and for which Plaintiffs are entitled to recover exemplary and/or punitive damages.

WHEREFORE, Plaintiffs pray for judgment against defendants, and each of them, as follows:

1. For general damages sustained by Plaintiffs in an amount in excess of \$10,000;
2. For special damages sustained by Plaintiffs in excess of \$10,000;
3. For exemplary and/or punitive damages sustained by Plaintiffs in excess of \$10,000;
4. For reasonable attorney's fees and costs of suit;
5. For all Wrongful Death damages as allowed to the Plaintiffs under Nevada law;
6. For interest at the statutory rate, and
7. For such other relief as the Court deems just and proper.

DATED this 13th day of November 2017

CRAIG K. PERRY & ASSOCIATES

By: 

CRAIG K. PERRY, Esq.
Attorneys for Plaintiffs

EXHIBIT B

EXHIBIT B

Electronically Issued
11/21/2017 2:46 PM

SUMM

DISTRICT COURT
CLARK COUNTY, NEVADA

JUDI MARI CARSON, individually
And as the Administrator of Estate of
KELLINA SUE WEED, Deceased,
Plaintiff,

CASE NO.: A-17-764704-C
DEPT. NO.: XXVIII

vs.

WALGREEN OSHKOSH, INC,
WALLGREEN CO., IVAN
INCHAUREGUI, and Does I-V,
and Roe Entities, I-V, inclusive,
Defendant.

SUMMONS

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT
YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE
INFORMATION BELOW.

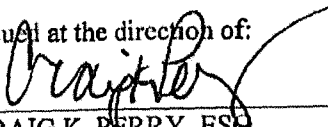
TO THE DEFENDANT[S]: A civil Complaint has been filed by the plaintiff against you for the relief
set forth in the Complaint. WALGREEN OSHKOSH, INC/ c/o RA Illinois Corporation Service C

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you
exclusive of the day of service, you must do the following:
a. File with the Clerk of this Court, whose address is shown below, a formal written
response to the Complaint in accordance with the rules of the Court.
b. Serve a copy of your response upon the attorney whose name and address is
shown below.


2. Unless you respond, your default will be entered upon application of the plaintiff and
this Court may enter a judgment against you for the relief demanded in the Complaint, which could
result in the taking of money or property or other relief requested in the Complaint.

3. If you intend to seek the advice of an attorney in this matter you should do so promptly
so that your response may be filed on time.

Issued at the direction of:


CRAIG K. PERRY, ESQ.
Nevada Bar No. 3786
CRAIG K. PERRY & ASSOCIATES
8010 West Sahara Avenue, Suite 260
Las Vegas, NV 89117

STEVEN D. GRIERSON, CLERK OF COURT

By:  Josefina San Juan 11/21/2017
Deputy Clerk Date
Regional Justice Center
200 Lewis Street
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Rules of Civil Procedure, Rule 4(b).

Case Number: A-17-764704-C

117-001119
RG

11-28-17
1035 AM

LAW OFFICE OF JAMES F. HOLTZ
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Cory R. Lacy, Esq., Nevada Bar No. 14074
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Attorneys for Defendants
WALGREEN CO. and WALGREEN OSHKOSH, INC.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
CASE NO.:

CERTIFICATE OF SERVICE

Pursuant to LR 5-4, I hereby certify that on December 1, 2017, I served a true and correct copy of the above and foregoing **NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(b) (DIVERSITY)** via CM/ECF described above on designated recipients through electronic transmission of said documents, a certified receipt is issued to filing party acknowledging receipt by CM/ECF's system. Once CM/ECF has served all designated recipients, proof of electronic service is returned to the filing party.

On:

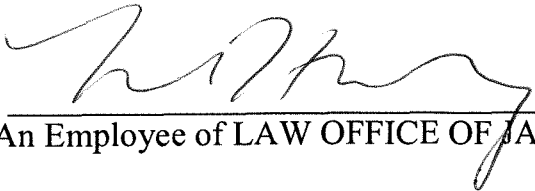
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Attorneys for Plaintiffs
(702) 228-4777

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Louie J. Cook, Esq., *Pro Hac Vice Pending*
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lcook@shhblaw.com

Attorneys for Plaintiffs
(361) 653-3300
(Service via regular mail only)

Dated: December 1, 2017


An Employee of LAW OFFICE OF JAMES F. HOLTZ